



# Town of Lancaster

## TOWN PLANNING BOARD

21 Central Avenue  
LANCASTER, NEW YORK 14086

November 5, 2014

Planning Board Members:

Neil Connelly, Chairman  
Rebecca Anderson  
Anthony Gorski  
Joseph Keefe  
Lawrence Korzeniewski  
Kristin McCracken  
Melvin Szymanski

Town Board Members:

Dino Fudoli, Supervisor  
John M. Abraham  
Mark Aquino  
Ronald Ruffino, Sr.  
Donna G. Stempniak

Engineering Consultant:

Robert Harris, Wm. Schutt & Associates

Town Attorney:

John M Dudziak

Town Highway Superintendent:

Daniel J. Amatura

Building & Zoning Inspector:

Jeffrey H. Simme

Gentlemen/Ladies:

Enclosed is a draft copy of the minutes of a meeting of the Planning Board of Lancaster which was held November 5, 2014. Please review it for errors and completeness. These minutes will not become final until approved at a subsequent Planning Board meeting, and may be amended before approval.

Sincerely yours,

Neil R. Connelly  
Planning Board Chairman

NRC:mn

Encl.

A meeting of the Planning Board of the Town of Lancaster, Erie County, New York was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, on the fifth day of November 2014 at 7:30 P.M, and there were present:

PRESENT: Neil Connelly, Chairman  
Rebecca Anderson, Member  
Anthony Gorski, Member  
Joseph Keefe, Member  
Lawrence Korzeniewski, Member  
Kristin McCracken, Member  
Melvin Szymanski, Member

EXCUSED:

ABSENT: None

ALSO PRESENT:

Town Board Members: None

Other Elected Officials: None

Town Staff: Robert Harris, Engineering Consultant-Wm. Schutt & Assoc.  
Jeffrey H. Simme, Building & Zoning Inspector  
Kevin Loftus, Deputy Town Attorney  
Mary Nowak, Recording Secretary

Meeting called to order by Chair Connelly at 7:30 P.M.

Pledge of Allegiance led by Chair Connelly.

Minutes – A motion was made by Melvin Szymanski to approve the minutes from the September 17, 2014 Planning Board Meeting with the following correction: ACTION ITEM – REZONE PETITION-COLUMN DEVELOPMENT, 0 GENESEE STREET, PRESENT ZONING RCO (RESIDENTIAL, COMMERCIAL, OFFICE). PROPOSED ZONING IS CMS (COMMERCIAL, MOTOR, SERVICE) FOR A VEHICLE STAGING AREA FOR ENTERPRISE RENT-A-CAR AND SALES. Last paragraph: Member Gorski stated that this parcel has been zoned RCO for many years and nothing has been built. Motion seconded by Joseph Keefe and unanimously carried.

Communications List November 5, 2014

- 11.05.01 Copy of resolution adopted by Town Board on 9/15/14 approving site plan for Advantage Fitness.
- 11.05.02 Copy of letter dated 9/17/14 from Corey Auerbach, Damon Morey LLP, to residents of Hamlet of Bowmansville inviting them to an informational meeting on 9/24/14 at Bowmansville Volunteer Fire Company.
- 11.05.03 SEQR response from EC Division of Planning dated 9/09/14 regarding Winnomotive Properties, 4304 Walden Ave.
- 11.05.04 Memo from Building Department noting cancellation of Planning Board meeting of 10/01/14.
- 11.05.05 Copy of resolution adopted by town Board on 10/06/14 sent to David DePaolo of Fairway Hills Development, approving rezone of 00 & 5425 William St.
- 11.05.06 Letter from Ryan Patterson of 33 Quail Run to Neil Connelly, noting the "non-existent shoulder and incomplete sidewalk system on Pleasant View Dr. Mr. Patterson provides subdivision codes from other communities as well as a link to a master plan document from Minnetonka that he suggests we follow and implement.
- 11.05.07 Phone call from Mike Wesolek of Pleasant View Dr. to Neil Connelly, Planning Board Chair, voicing his opinions about too much traffic on Pleasant View Dr. and the adjacent area.
- 11.05.08 Minutes of ZBA meeting of 10/09/14. One variance denied for extension on garage, one adjourned (addition to existing garage) pending further testimony.
- 11.05.09 Memo from Building Department noting cancellation of Planning Board meeting of 10/15/14.
- 11.05.10 Notice of SEQR Review to be held 10/20/14 at 6:15 PM
- 11.05.11 SEQR response from EC Division of Sewerage Management dated 10/15/14 regarding Winnomotive Properties, 4304 Walden Ave.

- 11.05.12 SEQR response from NYSDEC dated 10/06/14 regarding Winnomotive Properties addition, 4304 Walden Ave.
- 11.05.13 Notice of public hearing to be held on 10/20/14 regarding proposed rezone of 00 Genesee St. (Enterprise)
- 11.05.14 Memo from Mark Lubera, Interim General Crew Chief, dated 10/22/14 stating no issues with site plan for Winnomotive Properties.
- 11.05.15 Minutes of MRC meeting of 10/20/14.
- 11.05.16 Notice of Regional Local Government Workshop to be held Friday, 11/14/14 at the Clarion Hotel, Batavia.
- 11.05.17 Notice of SEQR Review to be held 11/03/14 at 6 PM.
- 11.05.18 Memo from Mark Lubera, noting no issues with site plan for Salvatore's Hotel.
- 11.05.19 Memo from Mark Lubera, noting no issues with site plan for CNG Vehicle Fueling Station @ Tops Markets Distribution.
- 11.05.20 Letter from Robert Harris, Town Engineer, dated 10/28/14, with comments regarding site plan review for Salvatore's Hotel.
- 11.05.21 Letter from Robert Harris, Town Engineer, dated 10/29/14, with comments regarding site plan review for Tops Market Distribution - Compressed Natural Gas Fueling.
- 11.05.22 Revised sketch plan for Summerfield Farms Subdivision Phase 6, dated 10/29/14. The proposed rezone was presented and approved by the Planning Board on 7/16/14 for single family detached patio houses.
- 11.05.23 Phone call on 11/03/14 from Thomas Kaufmann of 5357 Genesee St.. He lives across the street from restaurant and is concerned about the proposed rezone of Harris Hill Golf Course. He notes inconsistency with master plan, concerns about property values, and even more traffic. Also concerned about his neighbor who can't get out of his driveway, and possible "brewery" or "brew pub" to be part of the property.

## ACTION ITEMS -

SITE PLAN REVIEW – TOPS DISTRIBUTION CENTER, 5873 GENESEE STREET. INSTALLATION OF INFRASTRUCTURE FOR COMPRESSED NATURAL GAS (CNG) FUELING STATION. PROJECT NO. 4642. CONTACT PERSON: THOMAS REYNOLDS

Thomas Reynolds of Wendel, Rob Jess of American Natural Gas and Ron Ferry presented to the Planning Board the site plan for installation of infrastructure for a Compressed Natural Gas (CNG) Fueling Station located at 5873 Genesee Street, Tops Distribution Center. The site plan shows a public fill station for public use by owners of compressed natural gas vehicles and a private fill station. The primary use will be by Tops. The site plan shows the public fill station located at the northeast corner of the parcel. The private fill will use the existing canopy along the east side of Tops. The site plan also shows a private road to the east for emergency use only. This project will tie into the existing National Fuel gas main on Genesee Street. Electrical will tie into the existing electrical main on Genesee Street. A geotechnical investigation into grading is being done. The following items were addressed:

Public Fill Station – The site plan shows two new driveways on Genesee Street at the public fill station: One for ingress and one for egress. A canopy will be constructed and one dispenser will be installed. A second dispenser may be added at a future date.

Private Fill Station – Will use the existing canopy located at the east side of the parcel and will have two dispensers. Minor adjustments will be made including a concrete pad for equipment.

Engineering and Drainage – Town Engineer Robert Harris stated that he still needs to be provided with a grading plan, a drainage plan, an engineering report and a site plan detail report.

Council Member Donna Stempniak stated that she has issues with the location of this project. The public fill station is located in the area of the existing berm along Genesee Street and will cut into the visual barrier. Can the visual screening be left intact? She suggested that the applicant re-think the placement of the public fill station and relocate it elsewhere on the parcel. She also questioned whether the public fill station is necessary. It is a gas station.

## DETERMINATION

At the request of the applicant, this project is tabled to a future Planning Board Meeting. Motion to table this project made by Melvin Szymanski. Motion seconded by Anthony Gorski and unanimously carried.

Roll call vote as follows:

Chair Connelly - Yes

Rebecca Anderson – Yes

Anthony Gorski – Yes

Joseph Keefe – Yes

Lawrence Korzeniewski – Yes

Kristen McCracken – Yes

Melvin Szymanski - Yes

SITE PLAN REVIEW – SALVATORE’S HOTEL, 6461 TRANSIT ROAD, CONSTRUCTION OF A SIXTY (60) ROOM, 4-STORY HOTEL AND ALTERATION TO EXISTING RESTAURANT, PARKING AND ON-SITE UTILITY IMPROVEMENTS. PROJECT NO. 1408. CONTACT PERSON: CHRISTOPHER WOOD, PE OF CARMINA WOOD MORRIS.

There was no representative in attendance for this project at tonight’s meeting. This project will be rescheduled for a future Planning Board meeting.

REZONE PETITION – FAIRWAYS AT LANCASTER LLC, 0 & 5354 GENESEE STREET. PRESENT ZONING IS R-1 – RESIDENTIAL DISTRICT (1) AND RCO – RESIDENTIAL COMMERCIAL OFFICE. PROPOSED REZONING IS MFR-3 -- MULTI-FAMILY RESIDENTIAL DISTRICT THREE. PROPOSED REZONING SITE PLAN APPROVAL FOR 76 SENIOR TOWNHOME UNITS. THE SITE IS FORMERLY THE HARRIS HILL GOLF CENTER. CONTACT PERSON: NICHOLAS CUTAIA OF PASSERO ASSOCIATES.

Jeff Palumbo of Damon Morey, Anthony Cutaia of Rane Property Management and Jess Sudo presented to the Planning Board the rezone petition for Fairways at Lancaster, LLC located at 0 & 5354 Genesee Street. Present zoning is R-1 (Residential District 1) and RCO (Residential Commercial Office). Proposed zoning is MFR-3 (Multi-Family Residential District 3). Mr. Palumbo stated that two previous proposed rezone petitions were brought before the Planning Board earlier this year proposing MFR-4 rezoning. The current rezone petition is for MFR-3 and has been scaled back considerably. The project is located on approximately 27.5 acres and shows 76% greenspace. The plan shows 19 single-story buildings with 4 units in each building. Each unit will have 2 bedrooms, 2 bathrooms and an attached garage. All buildings will be slab on grade with no basements and will be identical. Building height will be 18 feet. Roads for this project will be private. The 76 townhome units will be for seniors (55+) and will generate very low traffic. Mr. Palumbo also stated that this project will have architectural lighting, stonewalls along Genesee Street and park-like features. The following items were discussed:

Drainage - The majority of this project has been moved much further to the east out of the floodplain. Mr. Sudo stated that he will work with the Town Engineer to address and improve drainage on this parcel. Town Engineer Robert Harris stated that he has no major concerns with this project but would need to see detail reports, if this project goes forward.

Traffic – Mr. Sudo told the Planning Board that since this project will be for seniors (55+), very low traffic will be generated - approximately 10-12 trips during peak hours. He also stated that NYS Dept. of Transportation has been contacted regarding enhanced shoulders on Genesee Street, but he has not heard back.

Emergency entry – The plan shows a gated entrance to this project off of Anna Drive. Mr. Sudo stated that this would be for emergency use only and no public use.

Clubhouse – The Planning Board asked whether there would be a clubhouse for this project. Mr. Palumbo stated that the existing ice cream shop may be spruced up to be used as a clubhouse for residents. There will not be a swimming pool for this project.

Additional parking – Mr. Sudo told the Planning Board that the plan for this project will show 38 pull-up spots between the buildings to be used for additional parking.

## DETERMINATION

Based on the information provided to the Planning Board, a motion was made by Melvin Szymanski to recommend approval of the rezone petition to the Town Board with the following conditions: 1.) Townhomes to be built for seniors (55+). 2.) No more than 19 buildings to be constructed. 3.) Number of units to be built not to exceed 76 units as presented at 11/5/2014 Planning Board meeting. 4.) Only single-story buildings to be constructed. Motion seconded by Joseph Keefe and duly carried by a vote of 6 ayes and 1 nay (Member Korzeniewski). Roll call vote as follows:

Chair Connelly - Yes

Rebecca Anderson - Yes

Anthony Gorski – Yes

Joseph Keefe – Yes

Lawrence Korzeniewski – Nay

Kristen McCracken – Yes

Melvin Szymanski - Yes

SKETCH PLAN REVIEW – SUMMERFIELD FARMS, PART 6, 0 & 5425 WILLIAM STREET. DEVELOPMENT OF 40 PATIO HOMES. PROJ. NO. 2653. CONTACT PERSON: KENNETH ZOLLITSCH OF GREENMAN-PEDERSEN, INC.

At the request of the applicant, this item was removed from tonight's meeting agenda.

OTHER MATTERS –

Planning Board Meeting Dates Schedule for 2015 – Tentative Schedule of Planning Board Meeting Dates for 2015 was provided to the Planning Board. Following a brief discussion and one change to the schedule, a motion was made by Chair Connelly to accept the revised Planning Board Meeting Schedule for 2015. Motion seconded by Anthony Gorki and unanimously carried.

Chair Connelly congratulated Member Anthony Gorski on recently being named to the Depew High School Wall of Fame for Athletics.

At 8:40PM a motion was made by Lawrence Korzeniewski to adjourn the meeting. Motion seconded by Melvin Szymanski and unanimously carried.